

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-1893

HAYDAR AHMED ABD ALLA,

Petitioner,

versus

JOHN D. ASHCROFT, United States Attorney
General,

Respondent.

On Petition for Review of an Order of the Board of Immigration
Appeals. (A79-497-412)

Submitted: March 19, 2004

Decided: April 16, 2004

Before WILKINSON, LUTTIG, and MICHAEL, Circuit Judges.

Petition denied by unpublished per curiam opinion.

James A. Roberts, LAW OFFICES OF JAMES A. ROBERTS, Falls Church,
Virginia, for Petitioner. Peter D. Keisler, Assistant Attorney
General, David J. Kline, Principal Deputy Director, Hugh G.
Mullane, Office of Immigration Litigation, UNITED STATES DEPARTMENT
OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Haydar Ahmed Abd Alla, a native and citizen of Sudan, petitions for review of an order of the Board of Immigration Appeals ("Board") summarily affirming the immigration judge's denial of his applications for asylum, withholding of removal, and protection under the Convention Against Torture.

On appeal, Alla challenges the immigration judge's determination that he failed to establish eligibility for asylum. To obtain reversal of a determination denying eligibility for relief, an alien "must show that the evidence he presented was so compelling that no reasonable factfinder could fail to find the requisite fear of persecution." INS v. Elias-Zacarias, 502 U.S. 478, 483-84 (1992). We conclude that Alla fails to show that the evidence compels a contrary result. Accordingly, we cannot grant the relief that Alla seeks.

Additionally, we uphold the immigration judge's denial of Alla's applications for withholding of removal and protection under the Convention Against Torture. To qualify for withholding of removal, an applicant must demonstrate "a clear probability of persecution." INS v. Cardoza-Fonseca, 480 U.S. 421, 430-31 (1987). To obtain relief under the Convention Against Torture, an applicant must establish that "it is more likely than not that he or she would be tortured if removed to the proposed country of removal."

8 C.F.R. § 1208.16(c)(2) (2003). We conclude that Alla has failed to meet either one of these standards.

Accordingly, we deny the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED